

U.S. Serial No. 10/805,935  
Confirmation No.: 1026  
Filed: March 22, 2004  
Title: THEFT DETERRENT BACKPACK  
Inventor: C. Cohen  
Art Unit: 3727  
Examiner: J. PASCUA

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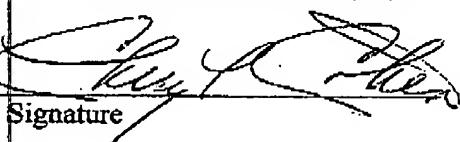
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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 Serial No. : 10/805,935  
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AMENDED

BRIEF ON APPEAL UNDER 37 CFR 1.192

Sir:

This Amended Brief on Appeal is submitted in response to the Notification of Non-Compliant Appeal Brief mailed December 2, 2005. Pursuant to MPEP section 1205.03(c) appellant submits herewith a complete new brief with the proper headings

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pursuant to 37 CFR 41.37(c). The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 503462.

#### **I. Real Party In Interest**

The present application was not been assigned and therefore the real party in interest (Appellant) is Cheryl Cohen.

#### **II. Related Appeals and Interferences**

There are no related appeals or interference known to appellant or appellants' legal representative which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

#### **III. Status of Claims**

Claims 1-24 remain pending in the present application and are now under appeal, of which claims 1, 12 and 22 are independent claims. Claims 1-24 have been rejected over the prior art. Specifically, claims 1-9, 1-19 and 21-24 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,154,332 (Williams et al.). Claims 1-24 are also rejected under 35 U.S.C. §103(a) as obvious over Williams et al. Claims 10 and 20 are rejected under 35 U.S.C. §103(a) as obvious over Williams et al. in view of U.S. Patent No. 3,530,919 (May). A copy of the claims is attached as the Appendix.

#### **IV. Status of Amendments**

No amendments have been filed subsequent to issuance of the May 20, 2005 Final Office Action.

#### **V. Summary of Claimed Subject Matter**

The present invention is directed to a backpack that substantially prevents or deters theft of its contents from its main compartment without the need for locks by positioning the terminating end of the releasable securing device (e.g., zipper) on the back panel while the beginning end is disposed on another panel other than the back panel (p. 7, ll. 1-4). Configuring the releasable securing device (e.g., zipper) in

accordance with the present invention prohibits access to the slider and pull tab of the zipper disposed at the terminating end of the chain which rests against the user's body when the backpack is worn while maximizing the size of the opening of the main compartment in which an object is placed (p. 7, l. 19-22).

In the exemplary embodiment shown in Figure 1, backpack 100 includes a main compartment formed by a front panel 105, a back panel 110 (Figure 5), a bottom panel 115 (Figure 7), and a side panel 120. Access to the main compartment is provided by a three-dimensional releasable securing device 130, i.e., a releasable securing device disposed along at least two panels (p. 6, ll. 14-16). In a preferred embodiment, the releasable securing device is a zipper having a beginning end 130' (representing that end of the zipper chain at which the slider and pull tab mounted thereto (together referred to as reference element 135) originates prior to meshing the teeth together) and an opposite terminating end 130" (representing that end of the zipper chain at which the slider 135 terminates when the teeth are meshed together as a continuous chain). The terminating end 130" of the zipper chain is disposed on the back panel 110, while the opposite beginning end of the zipper chain is disposed on the front panel 105. Preferably, to prohibit unwanted access to the slider and pull tab the terminating end of the zipper chain is adapted to extend sufficiently down the back panel so that it rests against the wearer's back when the backpack is worn. Most preferably, to ensure that the slider and pull tab rests against the user's body when worn the terminating end of the zipper chain extends at least halfway down the back panel. Otherwise, if the terminating end of the zipper chain is disposed proximate the intersection of the back panel and side panel then unwanted access to the zipper may be gained and its deterrent effect may be diminished (p. 6, l. 24 through p. 7, l. 13).

Filling and emptying of the main compartment of the backpack is not impaired despite the added protection of this configuration since the zipper chain is three-dimensional, i.e., the zipper chain extends over at least two panels, e.g., the front panel and back panel, providing a relatively large opening to insert the objects to be stored therein (p. 7, ll. 25-28).

**VI. Grounds of Rejection to be Reviewed on Appeal**

1. Whether claims 1-9, 11-19 and 21-24 are unpatentable under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,154,332 (Williams et al.)?
2. Whether claims 1-24 are unpatentable under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,154,332 (Williams et al.)?
3. Whether claims 10 and 20 are unpatentable under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,154,332 (Williams et al.) in view of U.S. Patent No. 3,530,919 (May)?

**VII. Argument*****A. Claims 1-9, 11-19 and 21-24 rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,154,332 (Williams et al.).*****1. Independent claims 1 and 12**

Independent claims 1 and 12 are rejected as anticipated by and/or obvious over U.S. Patent No. 5,154,332 (Williams et al.). Applicant respectfully traverses the Examiner's rejection of these underlying independent claims.

The preamble of each of independent claims 1 and 12 is directed to "a backpack" while the body of the claims specify the elements or features of the backpack. Applicant submits that the term "backpack" in the preamble of each claim is a structural limitation that must be accorded patentable weight. "If the claim preamble, when read in the context of the entire claim, recites limitations of the claim, or, if the claim preamble is 'necessary to give life, meaning, and vitality' to the claim, then the claim preamble should be construed as if in the balance of the claim." *Pitney Bowes, Inc. v. Hewlett-Packard Co.*, 182 F.3d 1298, 1305, 51 USPQ2d 1161, 1165-66 (Fed. Cir. 1999). The Federal Circuit in the case *In re Paulsen*, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994) was asked to determine whether the term "computer" in the claim preamble (e.g., "A portable computer..., said computer comprising") was properly rejected by the Patent Office as anticipated by a reference that disclosed all the claim's limitations in a calculator. The Court held that the term "computer" was one that breathes life and meaning into the

claims and hence is a necessary limitation to them. Likewise, in *Kropa v. Robie*, 187 F.2d 150, 152 (CCPA 1951), it was held that the term "abrasive article" in the preamble is a limitation because it gave life, meaning and vitality in that it is by the preamble that the subject matter defined by the claim was known as an abrasive article.

Similarly, in the predecessor case of *Corning Glass Works v. Sumitomo Electric U.S.A.*, 868 F.2d 1251, 9 USPQ2d 1962 (Fed. Cir. 1989) the appellate court held that the district court correctly interpreted the preamble to the claim in suit – "an optical waveguide" – as a structural limitation on the scope of the claim rather than a statement of purpose. As evidence that the preamble was more than a mere stated purpose or intended use, the Court focused on the specification of the application in question from which it was clear that the inventors were working on the particular problem of displaying binary data on a raster scan display device and not general improvements to all display systems. In light of the specification, to read the claim indiscriminately to cover all types of display systems was held to be divorced from reality since the invention described was restricted to those display devices that work by displaying bits, which was not true with respect to all display systems recited in just the body of the claim.

The principles established in these seminal cases are also applicable in the present application wherein applicant asserts that the term "backpack" breathes life and meaning into the claims and thus is a necessary limitation to them. The specification of the present application does not mention, whatsoever, any type of enclosure other than a backpack. Focus is exclusively on the deterrent configuration of the releasable securing device (e.g., zipper chain) in a backpack. Despite the fact that the panels and main compartment recited in just the body of the claim may broadly apply to a variety of enclosures, the specification and preamble of the claims clearly restrict the invention only to backpacks. Therefore, in order to anticipate the present claimed invention a prior art reference must disclose the claimed limitations with respect to a backpack.

In rejecting the present claimed limitations of the backpack invention applicant submits that the Examiner has improperly failed to give patentable weight to the structural limitation of a "backpack" as found in the preamble. Instead, the Examiner relies in Williams et al. on the fabric enclosure 16 and the features associated therewith

(e.g., front panel 26, back panel 28, two side panels 34a, 34b, top panel 32, bottom panel 30, main compartment 16, zipper 14c) (see May 20, 2005 Final Office Action: p. 2) as reading on the claimed limitations of the backpack. The fabric enclosure 16 taught by Williams et al. is a shielding encasement separate from and not forming any part of the backpack 58 (Fig. 4). Williams et al. fails to disclose backpack 58 itself having the claimed limitations, e.g., a releasable securing device/zipper chain for accessing the main compartment of the backpack, wherein the terminating end is disposed on the back panel and the beginning end is disposed on the second panel, as in claims 1 and 12.

### 2. Independent claim 22

The preamble of claim 22 is directed to a backpack, similar to that found in independent claims 1 and 12 discussed in the preceding paragraph. In the outstanding Office Action, the Examiner maintains the same basis for rejection of claims 1 and 12 as is applied to claim 22. Accordingly, for the same reasons stated in paragraph 1 above, applicant submits that the Examiner has improperly ignored the limitation of a backpack when asserting that the features of the fabric enclosure 16 as taught by Williams et al. reads on the present claimed limitations. In addition, with respect to claim 22, Williams et al. fails to teach that backpack 58 has a releasable securing device for accessing the main compartment of the backpack formed by a plurality of panels, wherein the releasable securing device extends along at least two panels.

### 3. Dependent claims 9 and 19

Furthermore, dependent claims 9 and 19 require the releasable securing device/zipper chain “to be disposed substantially laterally, when the backpack is held substantially upright”. The Examiner maintains that “The top panel of the Williams device could be considered the bottom or side panel depending on the orientation of the device. For example, in Figures 7 and 8 disclosed by Williams, it is shown that the releasable securing devices and panels of the enclosure can take a variety of orientations while remaining within the scope and spirit of the disclosure.” (May 20, 2005 Final Office Action: p. 2) Figs. 7 & 8 of Williams et al. disclose alternative embodiments that depict a cylindrical shaped fabric enclosure 16 and a longitudinal V arrangement of the

zippers, respectively, with the zippers oriented in a longitudinal direction. Nevertheless, neither embodiment shows backpack 58 with the zippers oriented in a substantially lateral orientation when the backpack is disposed in an upright position, as found in claims 9 and 19.

Applicant also disagrees with the Examiner's assertion that the top panel of the Williams device could be considered the bottom or side panel depending on the orientation of the device. The orientation of the fabric enclosure 16 must be same as that of backpack 58 to ensure that the former fits over the latter and to allow the shoulder straps 52 to pass entirely through the opening of the fabric enclosure 16. (See Col. 2, ll. 10-15) Since the claim expressly calls for the backpack to be in a substantially upright position, fabric enclosure 16 must be oriented either as shown in the Figures or rotated by 180 degrees in a vertical direction to permit the shoulder straps 52 to pass entirely through the opening of the fabric enclosure 16. In either orientation the zippers are therefore disposed substantially longitudinally, not substantially laterally, as found in claims 9 and 19.

4. Dependent claims 3, 9, 14 and 19

Dependent claims 3 and 14 state that the releasable securing device/zipper chain "extends across at least a portion of the side panel". Claims 9 and 19 call for the releasable securing device/zipper chain to be "disposed substantially laterally, when the backpack is held substantially upright".

In rejecting these claimed backpack limitations as anticipated by the prior art the Examiner asserts that "Williams further discloses, 'a closure device could be configured in a T orientation' (Col. 5, l. 22) which would position a releasable securing device laterally where it would extend across a portion of the side panel." However, the reference fails to disclose or suggest that any portion of the T oriented closure device would extend beyond the back panel to a second panel and thus fails to read on the limitation provided in base claims 1 and 12 that calls for the releasable securing device/zipper chain having a terminating end disposed on the back panel and a beginning end disposed on a second panel. Without such teaching the reference fails to anticipate the claimed invention calling for the releasable securing device/zipper chain to have a

terminating end disposed on the back panel, a beginning end disposed on a second panel, and the releasable securing device/zipper chain being disposed substantially laterally when the backpack is held substantially upright.

Yet another conclusion drawn by the Examiner with respect to the rejection of claims 3, 9, 14 and 19 is that "a second set of straps (18) are disposed laterally, which, when carried in this orientation, would cause the releasable securing device to extend across at least a portion of the side panel." Handle straps 18 in Williams et al. are not analogous to the claimed releasable securing device/zipper chain "for accessing the main compartment" of the backpack 58 (as called for in respective base claims 1 and 12). To the contrary, handle straps 18 when released allow passage into the interior of the fabric enclosure 16, not the main compartment of the backpack 58 itself, as found in independent base claims 1 and 12 from which claims 3, 9, 14 and 19 depend, respectively. Furthermore, dependent claims 14 and 19 expressly call for "the zipper chain" to be "disposed substantially laterally, when the backpack is held substantially upright". Applicant fails to see how handle straps 18 of Williams et al. are analogous to the claimed zipper chain, as found in claims 14 and 19.

##### 5. Dependent claims 11 and 21

Dependent claims 11 and 21 are further distinguishable over Williams et al. in that each calls for the releasable securing device/zipper chain to be "adapted to extend sufficiently along the back panel of the backpack so that the terminating end rests against a wearer's body when worn." It is the orientation of the releasable securing device/zipper in accordance with the present invention that further prohibits unwanted access to the main compartment when the backpack is worn without the need for a lock. In rejecting these claims the Examiner states, "The zipper of the Williams device is oriented longitudinally when the backpack is held upright and terminates at the shoulder straps (52) where the end of the zipper would rest against a wearer's body when worn." (May 20, 2005 Final Office Action: p. 2) Applicant respectfully disagrees with the Examiner's interpretation of the reference. Williams et al. expressly discloses that "Third zipper 14c originates on front panel 26, travels over top panel 32, and terminates between but just above termination point 38 of zippers 14a and 14b on back panel 28." (Col. 3, ll. 48-51

and Fig. 3a)(emphasis added) In further support thereof, the side view shown in Figure 5 clearly shows that the terminating end of the zipper 14c of the fabric enclosure 16 does not rest against the back of the user when the backpack is worn. In order for the terminating end of the zipper 14c of Williams et al. to rest against the wearer when the backpack is worn, as specified in claims 11 and 21, it would have to be modified so as to be disposed below the position at which the shoulder straps 52 are mounted to the back panel. However, such modification would be contrary to the express teachings of Williams et al.. Specifically, Williams et al. states that "the orientation of the zippers allows the backpack to be worn by the user while the backpack is inside the enclosure. A removable flap of material provides a passageway for the shoulder straps of the backpack to pass through the invention and be worn by the user." (Col. 2, ll. 10-15) Accordingly, as expressly disclosed in Williams et al. the terminating point of zippers 14a and 14b must be above where the shoulder straps 52 are mounted to the backpack 58 to allow shoulder straps 52 to pass fully unobstructed through an opening in fabric enclosure 16 when the zippers are unzipped and flap 42 is rolled back so that the backpack may be worn with the fabric enclosure 16 (see Figs. 4 and 5; Col. 2, ll. 10-15). "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." (MPEP §2143)(citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)). Accordingly, Williams et al. either alone or in combination with another reference fails to render the present claimed invention unpatentable.

***B. Claims 1-24 rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,154,332 (Williams et al.).***

The Examiner in rejecting claims 1-24 as obvious recognizes that Williams et al. fails to expressly teach certain claimed limitations. The specific claims that require reliance on general knowledge in the art for teaching limitations not disclosed or suggested by Williams et al. are not identified but can nevertheless be gleaned from the Examiner's statements reproduced below:

"As disclosed in column 5, line 54 'modifications of the present invention are contemplated and can be resorted to by those skilled in the art, without departing from the spirit and scope of the invention.'

Williams discloses many different embodiments and orientations for the releasable securing devices and the enclosure, therefore, it would have been obvious to one skilled in the art at the time of the invention to change the length or orientation of the releasable securing devices while remaining within the scope and spirit of the Williams enclosure. As shown by Figure 8 disclosed by Williams, the releasable securing devices can have a length spanning from just a portion of the back panel to a majority of the back panel and it would be obvious to have the length of the releasable securing device extend at least substantially halfway along the back panel" (May 20, 2005 Final Office Action: p. 3).

### 1. Dependent claims 10 and 20

Though failing to expressly state which claimed limitations are not taught by Williams et al., as best understood by applicant, the Examiner's statements above are directed specifically to the limitations found in dependent claims 10 and 20. These claims call for the terminating end of the releasable securing device/zipper chain to be disposed on the back panel of the backpack and "extend at least substantially halfway along the back panel of the backpack when the backpack is held substantially upright".

As a preliminary matter, the mere fact that Williams et al. teaches that modification of the patented invention is possible does not alone provide sufficient teaching for limitations that are neither disclosed nor suggested in the prior art reference itself. Addressing the last sentence quoted above, the Examiner is asserting that the depiction of the zipper 36 extending along the entire back panel from one end to the other is sufficient teaching for changing the length of the zipper so that it extends substantially halfway along the back panel, as found in claims 10 and 20. The Examiner fails to specifically point out where in Williams et al. the claimed limitation, as found in claims 10 and 20, is taught, instead, merely concluding that it would have been obvious to modify the length of the releasable securing device shown in Figure 8 to extend at least substantially halfway along the back panel without providing a secondary reference for such teaching. (May 20, 2005 Final Office Action: p.3) Figure 8 of Williams et al. teaches the terminating point of the V arranged zippers disposed on the top panel 32 of the fabric enclosure 16, rather than on the back panel of the backpack, as expressly called for in base claims 1 and 12 from which claims 10 and 20, respectively, depend.

Accordingly, applicant maintains that Williams et al. fails to disclose a backpack in which the releasable securing device/zipper chain has a terminating end disposed on the back panel, a beginning end disposed on a second panel, and that the releasable securing device/zipper chain extends at least substantially halfway along the back panel of the backpack when the backpack is held substantially upright.

Even assuming, *arguendo*, that the Examiner could identify a secondary reference teaching that the terminating end of the zipper of a backpack is disposed on the back panel and extends at least substantially halfway down the back panel when the backpack is in an upright position, Williams et al. teaches away from such modification. "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." (MPEP §2143)(citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)). As discussed above with respect to the claims in paragraph A above, the expressed intended purpose of the zippers 14a and 14b are so that when unzipped and the flap is rolled up the shoulder straps 52 of the backpack 58 disposed inside the fabric enclosure 16 may pass therethrough and be worn by the user while the backpack is shielded by the enclosure. (Col. 2, ll. 10-15) If the terminating end of zipper 14c in Williams et al. were Modification of the zipper 14c in Williams et al. to be disposed substantially halfway down the back panel when the backpack is disposed in an upright position would also require that the terminating ends of the other two zippers 14a, 14b be proximate to that of zipper 14c to ensure that a common padlock can interconnect the tabs of the zippers. (Col. 2, ll. 1-5) If the terminating ends of the zippers 14a and 14b are disposed substantially halfway down the back panel of the backpack then while in an unzipped state the flap would not provide sufficient clearance for the shoulder straps 52 in their entirety to pass unobstructed therethrough and be worn with the fabric enclosure 16 in place, thereby teaching away from the intended purpose of the invention.

#### 2. Claims 1-9, 11-19 and 21-24

In all other respects the Examiner's obviousness rejection of the claimed invention is the same with respect to claims 1-9, 11-19 and 21-24 in paragraph A. above

and thus the same arguments presented therein are equally applicable and incorporated herein with respect to the same claims.

**C. Claims 10 and 20 rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 5,154,332 (Williams et al) in view of U.S. Patent No. 3,530,919 (May).**

Once again claims 10 and 20 call for the terminating end of the releasable securing device/zipper chain to be disposed on the back panel of the backpack and "extend at least substantially halfway along the back panel of the backpack when the backpack is held substantially upright".

The Examiner acknowledges that it may not be obvious that Williams et al. alone teaches this claimed limitation and asserts:

"May teaches a golf bag that includes shoulder straps (17) attached to a bag that features a zipper (11) extending across multiple panels (4) and terminating at least substantially along the back panel. It would have been obvious to one skilled in the art at the time of invention to apply the teachings of May to Williams so that the zipper would extend substantially halfway along the back panel, while still beginning on a separate panel and terminating on the back panel." (May 20, 2005 Final Office Action: p.4)

Applicant asserts that the Examiner has failed to establish a *prima facie* case of obviousness. Specifically, the Examiner has failed to provide a motivation as to why it would have been obvious to modify Williams et al. as taught by May instead merely articulating that the features as claimed would have been obvious. To the contrary, Applicant submits that the intended purpose of Williams et al. teaches away from such a proposed modification and thus would not have been obvious. "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." (MPEP §2143)(citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)). As discussed above with respect to the claims in paragraphs A & B above, the expressed intended purpose of the zippers 14a and 14b in Williams et al. are so that when unzipped

and the flap is rolled up the shoulder straps 52 of the backpack 58 disposed inside the fabric enclosure 16 may pass therethrough and be worn by the user while the backpack is shielded by the enclosure. (Col. 2, ll. 10-15) Assuming, *arguendo*, that the terminating end of zipper 14c were modified so as to be disposed substantially halfway down the back panel when the backpack is disposed in an upright position as allegedly taught by May, then the terminating ends of the other two zippers 14a, 14b would also have to be proximate to that of zipper 14c to ensure that a common padlock can interconnect the tabs of the zippers. (Col. 2, ll. 1-5) If the terminating ends of the zippers 14a and 14b are disposed substantially halfway down the back panel of the backpack then in an unzipped state the flap would not provide sufficient clearance for the shoulder straps 52 in their entirety to pass unobstructed therethrough and be worn with the fabric enclosure 16 in place, thereby teaching away from the intended purpose of the invention.

For the foregoing reasons, appellant submits that Williams et al. does not teach, either alone or in combination, each and every element of claims 1-24. Accordingly, applicant submits that claims 1-24 are patentable over the prior art of record.

Respectfully submitted,



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**Claims Appendix**

1. (Original) A theft deterrent backpack comprising:

at least two panels forming a main compartment, the at least two panels including a back panel and a second panel, other than the back panel; and

a releasable securing device for accessing the main compartment, the releasable securing device having a beginning end and a terminating end, the terminating end being disposed on the back panel and the beginning end being disposed on the second panel.

2. (Original) The theft deterrent backpack according to claim 1, wherein the second panel is a front panel.

3. (Original) The theft deterrent backpack according to claim 2, wherein the backpack further includes a side panel and the releasable securing device extends across at least a portion of the side panel.

4. (Original) The theft deterrent backpack according to claim 2, wherein the backpack further includes a bottom panel and the releasable securing device extends across at least a portion of the bottom panel.

5. (Original) The theft deterrent backpack according to claim 1, wherein the second panel is a side panel.

6. (Original) The theft deterrent backpack according to claim 1, wherein the second panel is a bottom panel.

7. (Original) The theft deterrent backpack according to claim 1, wherein the releasable securing device is a zipper chain.

8. (Original) The theft deterrent backpack according to claim 1, wherein the releasable securing device is disposed substantially longitudinally, when the backpack is held substantially upright.

9. (Original) The theft deterrent backpack according to claim 1, wherein the releasable securing device is disposed substantially laterally, when the backpack is held substantially upright.

10. (Original) The theft deterrent backpack according to claim 1, wherein the releasable securing device extends at least substantially halfway along the back panel of the backpack when the backpack is held substantially upright.

11. (Original) The theft deterrent backpack according to claim 1, wherein the releasable securing device is adapted to extend sufficiently along the back panel of the backpack so that the terminating end rests against a wearer's body when worn.

12. (Original) A theft deterrent backpack comprising:  
at least two panels forming a main compartment, one of the panels being a back panel, a second panel being other than the back panel; and  
a zipper chain for accessing the main compartment, the zipper chain having a beginning end and a terminating end, the zipper chain being disposed so that the terminating end is disposed on the back panel and the beginning end is disposed on the second panel.

13. (Original) The theft deterrent backpack in accordance with claim 12, wherein the second panel is a front panel.

14. (Previously Presented) The theft deterrent backpack according to claim 13, wherein the backpack further includes a side panel and the zipper chain extends across at least a portion of the side panel.

15. (Previously Presented) The theft deterrent backpack according to claim 13, wherein the backpack further includes a bottom panel and the zipper chain extends across at least a portion of the bottom panel.

16. (Original) The theft deterrent backpack in accordance with claim 12, wherein the second panel is a side panel.
17. (Original) The theft deterrent backpack in accordance with claim 12, wherein the second panel is a bottom panel.
18. (Original) The theft deterrent backpack according to claim 12, wherein the zipper chain is disposed substantially longitudinally, when the backpack is held substantially upright.
19. (Original) The theft deterrent backpack according to claim 12, wherein the zipper chain is disposed substantially laterally, when the backpack is held substantially upright.
20. (Original) The theft deterrent backpack according to claim 12, wherein the zipper chain extends at least substantially halfway along the back panel of the backpack when the backpack is held substantially upright.
21. (Original) The theft deterrent backpack according to claim 12, wherein the zipper chain is adapted to extend sufficiently down the back panel of the backpack so that the terminating end rests against a wearer's body when worn.
22. (Original) A theft deterrent backpack comprising:
  - a main compartment formed by a plurality of panels, the plural panels including at least a front panel and a back panel; and
  - a releasable securing device for accessing the main compartment, the releasable securing device extending along at least two of the plural panels.
23. (Original) The theft deterrent backpack according to claim 22, wherein the plural panels includes a back panel and a second panel, other than the back panel.

24. (Original) The theft deterrent backpack according to claim 23, wherein the releasable securing device has a beginning end and a terminating end, the terminating end being disposed on the back panel and the beginning end being disposed on the second panel.

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